

AMENDMENT UNDER 37 C.F.R. § 1.111
Appln. No. 09/759,107

PATENT APPLICATION

REMARKS

Reconsideration and further examination of this application is hereby requested. Claims 17-29, 49, and 51 are currently pending in the application. Claims 1-16, 30-48, 50, and 52-61 have been canceled without prejudice.

A. Allowable Subject Matter

Applicant thanks the Examiner for the acknowledgment that claims 49 and 51 recite allowable subject matter. Claims 49 and 51 have been amended to be in independent form. Accordingly, Applicant respectfully submits that claims 49 and 51 are in condition for immediate allowance.

B. Objection To The Specification

The specification has been objected to as having numbered paragraphs. Applicant respectfully submits that numbering of the paragraphs is appropriate and in accordance with the PTO rules of practice. See 37 C.F.R. § 1.52(b)(6). Accordingly, Applicant respectfully asks that this objection be carefully reconsidered and withdrawn.

C. Indefiniteness Rejection

Claims 17-29 and 46 have been rejected under 35 U.S.C. § 112, ¶ 2d as being indefinite. In particular, the Examiner is concerned about the meaning of the phrase "message creation device creates an alphanumeric message" as recited in claims 17

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and 46.

Applicant concurs with the interpretation of this phrase as set forth by the Examiner in the Office Action. See Paper No. 7 at page 3, lines 8-9. Thus, since there is no disagreement about the meaning of this phrase, Applicant respectfully submits that this rejection has been overcome by acquiescence.

D. Prior Art Rejection Of Claims 17-29

Claims 17-29 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Huna (US 6438217). This rejection is respectfully traversed based on the following arguments.

The Huna reference is not available as prior art against independent claim 17 since the limitations of claim 17 are disclosed in their entirety within the disclosure of parent application no. 09/265,656, filed March 2, 1999, now patented as US 6483900. In contrast, the filing date of Huna was March 11, 1999. In other words, independent claim 17 has an earlier effective filing date than Huna.

Specifically, the limitations of claim 17 are disclosed in the US 6483900 parent patent at: col. 1 at lines 17-19, col. 2 at lines 53-56, col. 3 at lines 5-7, col. 3 at lines 38-41, col. 5 at lines 20-24, and converter 36 in Fig. 2.

In view of the above arguments, Applicant respectfully submits that the Huna reference does not anticipate claims 17-29.

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E. Prior Art Rejection Of Claims 45-48 and 50

The anticipation rejection of claims 45, 47, and 50 and the obviousness rejection of claims 46 and 48 have been mooted by cancellation of these claims.

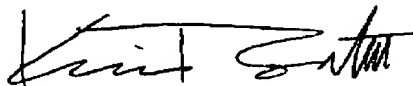
F. Closing

For the above reasons, Applicant respectfully submits that the application is in condition for allowance with claims 17-29, 49, and 51. If there remain any issues that may be disposed of via a telephonic interview, the Examiner is kindly invited to contact the undersigned at the telephone number given below.

The Director of the U.S. Patent & Trademark Office is authorized to charge any necessary fees, and conversely, deposit any credit balance, to Deposit Account No. 18-1579.

Respectfully submitted,

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